

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

2014 JUN 17 AM 11:39

JEFFREY B. MOULD

CLERK'S OFFICE  
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Plaintiff

BY \_\_\_\_\_ DEPUTY

v.

CIVIL NO. JKB-13-1305

NJG FOOD SERVICE INC., *et al.*

Defendants

\* \* \* \* \*

**MEMORANDUM AND ORDER**

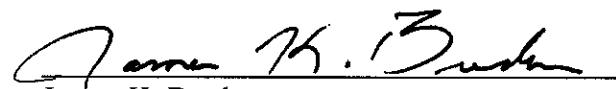
The Court hereby ORDERS that:

- 1) In light of the Court's *sua sponte* order reinstating Count III (ECF No. 148), Defendants' motion to file an amended answer (ECF No. 155) is GRANTED. The Clerk is hereby DIRECTED TO DOCKET Defendants' proposed amended answer (ECF No. 155-1) as their "Amended Answer" to Plaintiff's amended complaint (ECF No. 33). The Court notes Plaintiff's objections to Defendants' new affirmative defenses (ECF No. 157). However, such objections properly belong in a motion to strike.
- 2) Defendants' motion to set a summary judgment briefing schedule for Count III (ECF No. 160) is GRANTED. Supplementary briefing submitted as part of this schedule shall be limited to two issues: (1) Count III; and (2) the issuance of amended W-2 statements by Defendants in response to Plaintiff's requests (*see* ECF Nos. 160 at ¶ 10; 160-1.) The schedule for such briefing is set as follows:

- a. Defendants' supplementary motion for summary judgment and memorandum in support shall be due July 1, 2014;
- b. Plaintiff's memorandum in response shall be due July 11, 2014;
- c. Defendants' reply memorandum shall be due July 18, 2014.

Dated this 17 day of June, 2014.

BY THE COURT:



James K. Bredar  
United States District Judge